

REMARKS

Claims 1-49 were previously pending in this patent application. Claims 7-10, 17-20, 29-32, and 42-45 are withdrawn from further consideration pursuant to 37 C.F.R. Section 1.142(b). Claims 1-6, 11-16, 21-28, 33-41, and 46-49 stand rejected. Herein, Claims 1, 11, 23, and 36 have been amended. Accordingly, after this Amendment and Response, Claims 1-6, 11-16, 21-28, 33-41, and 46-49 remain pending in this patent application. Further examination and reconsideration in view of the arguments set forth below is respectfully requested.

35 U.S.C. Section 102(b) Rejections

Claims 1-3, 11-13, 22-25, 33, 35-38, 46, 48, and 49 stand rejected under 35 U.S.C. 102(b) as being anticipated by Matsui et al., U.S. Patent No. 5,493,365 (hereafter Matsui). These rejections are respectfully traversed.

Independent Claim 1 recites:

A data input device comprising:

a data input surface for detecting a gesture performed thereon by a user and for facilitating recognition of said gesture as corresponding to a particular data input, wherein said data input surface is **responsive to a touch thereon**; and

a user removable template having one of a plurality of marking configurations, wherein **each marking configuration facilitates operating said data input surface in one of a plurality of functional configurations**, wherein said user removable template is positioned over said data input surface for dividing said data input surface into a first data input area and a second data input area, wherein said first data input area is configured to facilitate recognition of one or more first

gestures, and wherein said second data input area is configured to facilitate recognition of one or more second gestures associated with one of said functional configurations. (emphasis added)

It is respectfully asserted that Matsui does not disclose the present invention as recited in Independent Claim 1. In particular, Matsui is directed to an apparatus having an operating section implemented as a plurality of key units. [Matsui; abstract]. The key units are each removably connected to the body of the operating section via cooperative connectors. Id. When any of the key units is damaged or the life thereof expires, only the defective unit is replaced while the other units are continuously used. Id. However, Matsui does not disclose a data input surface that is responsive to a touch thereon and that operates in one of a plurality of functional configurations corresponding to a marking configuration of a user removable template positioned over the data input surface.

Unlike Matsui, Independent Claim 1 is directed to a data input device, whereas the data input device includes a data input surface that is responsive to a touch thereon, and a user removable template having one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, and whereas the user removable template is positioned over the data input surface. While Matsui is directed at an operating section having a plurality of key units that can be removed from the body of the operating section to replace a defective unit, Independent Claim 1 is directed to a data input device that

includes a data input surface that is responsive to a touch thereon, and a user removable template having one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, and whereas the user removable template is positioned over the data input surface. Moreover, Matsui is directed to providing multiple functional configurations for the operating section by having separate units (e.g., touch panel unit, numerical key unit, one-touch key unit, etc.), while the Independent Claim 1 is directed to providing multiple functional configurations by having a marking configuration on a user removable template that is positioned over the data input surface, whereas the user removable template can be removed and replaced with a user removable template having a different marking configuration to provide a different functional configuration for the data input surface. Therefore, it is respectfully submitted that Independent Claim 1 is not anticipated by Matsui and is in condition for allowance.

Dependent Claims 2-3 are dependent on allowable Independent Claim 1, which is allowable over Matsui. Hence, it is respectfully submitted that Dependent Claims 2-3 are patentable over Matsui for the reasons discussed above.

With respect to Independent Claim 11, it is respectfully submitted that Independent Claim 11 recites similar limitations as in Independent Claim 1. In particular, the user removable data input device of Independent Claim 11

includes a data input surface that is responsive to a touch thereon and that has one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations. While in Independent Claim 1 a user removable template can be removed and replaced with another user removable template having a different marking configuration to provide a different functional configuration for the data input surface, in Independent Claim 11 the user removable data input device can be removed from an electronic system and replaced with another user removable data input device having a different marking configuration to provide the data input surface having a different functional configuration. Therefore, Independent Claim 11 is allowable over Matsui for reasons discussed in connection with Independent Claim 1.

Dependent Claims 12-13, and 22 are dependent on allowable Independent Claim 11, which is allowable over Matsui. Hence, it is respectfully submitted that Dependent Claims 12-13, and 22 are patentable over Matsui for the reasons discussed above.

With respect to Independent Claim 23, it is respectfully submitted that Independent Claim 23 recites similar limitations as in Independent Claim 1. In particular, the electronic system of Independent Claim 23 includes a data input device that has a data input surface that is responsive to a touch thereon, and a user removable template having one of a plurality of marking configurations,

whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, and whereas the user removable template is positioned over the data input surface. Therefore, Independent Claim 23 is allowable over Matsui for reasons discussed in connection with Independent Claim 1.

Dependent Claims 24-25, 33, and 35 are dependent on allowable Independent Claim 23, which is allowable over Matsui. Hence, it is respectfully submitted that Dependent Claims 24-25, 33, and 35 are patentable over Matsui for the reasons discussed above.

With respect to Independent Claim 36, it is respectfully submitted that Independent Claim 36 recites similar limitations as in Independent Claim 1. In particular, the electronic system of Independent Claim 36 includes a user removable data input device that has a data input surface that is responsive to a touch thereon and that has one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations. Therefore, Independent Claim 36 is allowable over Matsui for reasons discussed in connection with Independent Claims 1 and Claim 11.

Dependent Claims 37-38, 46, 48, and 49 are dependent on allowable Independent Claim 36, which is allowable over Matsui. Hence, it is respectfully

submitted that Dependent Claims 37-38, 46, 48, and 49 are patentable over Matsui for the reasons discussed above.

35 U.S.C. Section 103(a) Rejections

Claims 4-6, 14-16, 21, 26-28, 34, 39-41, and 47 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui et al., U.S. Patent No. 5,493,365 (hereafter Matsui) in view of Ganthier et al., U.S. Patent No. 5,865,546 (hereafter Ganthier) and Sylvan et al., U.S. Patent No. 5,572,573 (hereafter Sylvan). These rejections are respectfully traversed.

Dependent Claims 4-6 are dependent on allowable Independent Claim 1, which is allowable over Matsui. Moreover, Ganthier and Sylvan do not disclose a data input device that includes a data input surface that is responsive to a touch thereon, and a user removable template having one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, and whereas the user removable template is positioned over the data input surface, as recited in Claim 1. Hence, it is respectfully submitted that Dependent Claims 4-6 are patentable over Matsui, Ganthier, and Sylvan for the reasons discussed above.

Dependent Claims 14-16, and 21 are dependent on allowable Independent Claim 11, which is allowable over Matsui. Moreover, Ganthier and

Sylvan do not disclose a user removable data input device that includes a data input surface that is responsive to a touch thereon and that has one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, as recited in Claim 11. Hence, it is respectfully submitted that Dependent Claims 14-16, and 21 are patentable over Matsui, Ganthier, and Sylvan for the reasons discussed above.

Dependent Claims 26-28 and 34 are dependent on allowable Independent Claim 23, which is allowable over Matsui. Moreover, Ganthier and Sylvan do not disclose an electronic system having a data input device that includes a data input surface that is responsive to a touch thereon, and a user removable template having one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, and whereas the user removable template is positioned over the data input surface, as recited in Claim 23. Hence, it is respectfully submitted that Dependent Claims 26-28 and 34 are patentable over Matsui, Ganthier, and Sylvan for the reasons discussed above.

Dependent Claims 39-41, and 47 are dependent on allowable Independent Claim 36, which is allowable over Matsui. Moreover, Ganthier and Sylvan do not disclose an electronic system having a user removable data input device that includes a data input surface that is responsive to a touch thereon

and that has one of a plurality of marking configurations, whereas each marking configuration facilitates operating the data input surface in one of a plurality of functional configurations, as recited in Claim 36. Hence, it is respectfully submitted that Dependent Claims 39-41, and 47 are patentable over Matsui, Ganthier, and Sylvan for the reasons discussed above.

CONCLUSION

It is respectfully submitted that the above amendments, arguments and remarks overcome all rejections and objections. For at least the above presented reasons, it is respectfully submitted that all remaining claims (Claims 1-6, 11-16, 21-28, 33-41, and 46-49) are now in condition for allowance.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

Dated: 10/2/2003

Jose S. Garcia

Jose S. Garcia
Registration No. 43,628

Two North Market Street, Third Floor
San Jose, CA 95113
(408) 938-9060